UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

OLCA ADDOVO	
OLGA ARROYO	Civil Action No. 1:15 ov 02524 (AIN)
Plaintiff,)	Civil Action No. 1:15-cv-03524 (AJN) (JLC)
v.)	ECF CASE
JPMORGAN CHASE BANK, N.A.; CITY WORLD ESTATE AUTO HOLDINGS, LLC; BRONX FORD, INC.; BRONX FORD LINCOLN MERCURY D/B/A CITY WORLD FORD; JOHN DOES 1-10	NOTICE OF NON-OPPOSITION TO DEFENDANT'S MOTION FOR PARTIAL JUDGMENT ON THE PLEADINGS
Defendants.)	
JPMORGAN CHASE BANK, N.A.,	
Cross-Claim Plaintiff,	
v.)	
CITY WORLD ESTATE AUTO HOLDINGS,) LLC; BRONX FORD LINCOLN MERCURY) D/B/A CITY WORLD FORD; JOHN DOES 1-10.	
Cross-Claim Defendants.)	

On November 12, 2015, Defendant JPMorgan Chase Bank, N.A. ("Chase") moved for partial judgment on the pleadings. In that motion and supporting memorandum, Chase outlined why Plaintiff's claims against Chase for negligence and breach of an implied duty of good faith could not be sustained as a matter of law. Chase also moved to dismiss or strike Plaintiff's request for injunctive relief given, among other things, that she had not even pled that her claimed damages constituted irreparable harm. *See Docket Entries* 31 and 32. Thereafter, the parties reached a tentative settlement and the case was administratively closed. The parties have

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been unable to complete the settlement. Plaintiff requested that the case be reinstated and the

Court granted that request on February 16, 2016. See Docket Entry 39. Thereafter, Chase

requested that Plaintiff propose a date to respond to the motion for judgment on the

pleadings. Plaintiff ignored the request and instead threatened to press certain discovery issues.

Given that Plaintiff has failed to file any opposition to Chase's Motion for Partial

Judgment on the Pleadings despite being given ample opportunity to do so and has not requested

an extension to respond (despite Chase's prodding that she do so), Chase requests that the Court

grant Chase's Motion for Partial Judgment on the Pleadings. (*Docket Entry* 31).

Dated: March 10, 2016

Respectfully submitted,

/s/ Mary J. Hackett

Mary J. Hackett

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Counsel for Defendant/Cross-Claim Plaintiff

JPMorgan Chase Bank, N.A.

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CERTIFICATE OF SERVICE

The undersigned, an attorney, states that on March 10, 2016, the foregoing Notice of Non-Opposition to Defendant's Motion for Partial Judgment on the Pleadings was filed electronically with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to attorneys of record.

Respectfully submitted,

/s/ Mary J. Hackett

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